GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted on the Integrated Check Post Naraharipeta, Chittoor District on 24-11-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.409 **Dated:09-04-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.01-08-2016.
2. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.09-03-2020.
3. G.O.Ms.No.105, Revenue (Vig.II) Department, Dt.09-04-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 3rd read above, it is considered necessary to hold an enquiry against Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District in accordance with procedure laid down in Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another File No.REV-17023/44/2016-VIG II - REV person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri Namala Munaswamy, Office Subordinate, Integrated Check Post, Naraharipeta, Chittoor District (w.e., Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to
The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.
The Deputy Commissioner, Commercial Taxes, Chittoor District.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLES OF CHARGES FRAMED AGAINST SRI NAMALA MUNASWAMY, S/O LATE N. KRISHNAMURTHY, OFFICE SUBORDINATE, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

That Sri N. Munaswamy having joined Government service as Office Subordinate on 03-05-1995 in Commercial Taxes Department He worked as Office Subordinate, Integrated Check Post, CT Dept. Naraharipeta, Chittoor Dist from 15-11-2014 to 24-11-2015, here after called Government Servant,

CHARGE

That, the Government Servant Sri N.Munaswamy, while he was working as Office Subordinate, Integrated Check Post, CT Dept. Naraharipeta, Chittoor District from 15-11-2014 to 24-11-2015, he has committed grave misconduct in as much as. That the government servant N.Munuswamy being an office subordinate working at the Integrated Check post, Naraharipeta, Chittoor district and he has to stay outside the check post operating the bar gates equipped with a whistle and regulate all the freight traffic ensuring they enter the check post for verification. During the Surprise Check, an un-accounted amount of Rs. 3,000/- was found in the racks of computer room. an amount of Rs.5,000/- was found in the power supply room located towards north—west corner of the computer room, an amount of Rs.2,000/- found in the both room located in southern corner of the ACTO's wait room, an amount of Rs.2,650/- fond under the generator, which proves that he engaged in corrupt practices along with other officials and thereby contravened Rule — 3 (1), (2) of APCS (Conduct) Rules, 1964.

Thus, Sri N. Munaswamy by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1), (2) of AP Civil Services (Conduct) Rules, 1964.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE DRAFT ARTICLES OF CHARGES FRAMED AGAINST SRI NAMALA MUNASWAMY, S/O LATE N.KRISHNAMURTHY, OFFICE SUBORDINATE, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA CHITTOOR DISTRICT.

Sri N. Munaswamy is a native of Tirupati, Chittoor District. His date of birth is 05-04-1966. He joined Government service as office subordinate on 03-05-1995 in Commercial Taxes Department He worked as Office Subordinate, Integrated Check Post, CT Dept. Naraharipeta, Chittoor Dist from 15-11-2014 to 24-11-2015. He worked in the above capacities at various places in Chittoor District. He was drawing a basic pay of Rs 26,600/- in the scale of pay Rs.15,030/- to 46,040/- as on 24-11-2015. His superannuation is on 30-04-2026. He is here-in-after referred to as Government Servant.

CHARGE:

That the Government Servant Sri N. Munaswamy, while he was working as Office Subordinate from 15-11-2014 to 24-11-2015 he has committed grave misconduct in as much That the government servant N. Munuswamy being an office subordinate working at the Integrated Check post, Naraharipeta, Chittoor district and he has to stay outside the check post operating the bar gates equipped with a whistle and regulate all the freight traffic ensuring they enter the check post for verification. During the Surprise Check, an un-accounted amount of Rs.3,000/- was found in the racks of computer room an amount of Rs. 5,000/- was found in the power supply room located towards north—west corner of the computer room, an amount of Rs.2,000/- found in the both room located in southern corner of the ACTO's wait room, an amount of Rs.2,650/- fond under the generator, which proves that he engaged in corrupt practices along with other officials and thereby contravened Rule — 3 (1), (2) of APCS (Conduct) Rules, 1964.

FACTS AND EVIDENCE:

On 24-11-2015 from 00-45 AM to 04-30 AM Surprise Check was conducted by Team of officials of ACB, Tirupati. During the surprise Check Two private persons were found standing in the main hall and assisting the staff in stopping the vehicles and collecting mamools from the vehicle drivers passing through the check post. The DSP, ACB secured the private persons Sri N.Reddappa and J.Eswaraiah, examined them and recorded their statements, they stated that they are working as a Private persons since 6 months in the CT check post and assisting the staff in stopping the vehicles and collecting mamools from the vehicle drivers passing through the check post. For assisting them they are being paid by the ACTOs at the rate of Rs.150/- per shift. Today night due to heavy rains they did not collect any amount from the lorry drivers/cleaners. A thorough search was conducted by the ACB Office along with mediators in the premises of the check post. During the search, Rs.3,000/- was found in the racks of computer room, an amount of Rs.5,000/- was found in the power supply room located towards north—west corner of the computer room, an amount of Rs.2,000/- found in the both room located in southern corner of the ACTO's wait room, an amount of Rs.2,650/- fond under the generator, no office staff or private person has claimed or accounted for the above cash. During the surprise check a total amount of Rs.12,650/- unaccounted amount was collected as bribe was seized in the presence of mediators.

The DSP,ACB examined the following truck drivers/ cleaners and their statements were recorded and duly attested by the mediators.

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1. Pasim Venkateswarlu, 48y S/o Late P.Jayaramaiah, Cleaner, AP 26 W 2619, R/o D.No.5/512, CRP Donka, Nellore Town. Cell No. 8985431674.
2. Subramnayam Delli Babu S/o Subramanyam, 32y, Driver, TN 20 AP 6153. R/o No-2, Seethamcheri Village, Ammanapakam, Uthukotai Taluk, Tiruvallur Dist, Cell No. 9940302660.
3. Kesireddy Jalandar, 54y, S/o Late V.Kasireddy, Cleaner, TN 06 A 6998, R/o Perandur, Uthukotai Taluk, Tiruvallur Dist. Cell No. 7708564155.
4. Bepari Mahaboob Basha S/o Late Ahmad Basha, 48y, Driver, AP 04 X 7776, R/o D.No.19/708, Venkateswara Colony, Jammulamadugu, YSR dist. Cell No. 9949911982.
5. Appakutti Jayaprakash, 35y, S/o Appakutti, Driver, TN 01 AA 2428, R/o D.No.291/2, Tathichur Village, Arani Tq, Tiruvannamalai. Cell No. 08148585067 (TN), 8688702609 (AP)

The gist of their statements is that they regularly used to pass through this check post for that they need to get it verify their records by the commercial Tax officials and get stamp on the papers. For that even though they are having all the valid records the CT authorities use to collect Rs. 20/- to 200/- per vehicle to pass through their check post. Further they stated that if they does not pay bribe amount at counters, they will be harassed in the name of checking and registering case etc., facts.

The facts and material gathered so revealed that the Government Servant Sri N. Munaswamy, Officer Subordinate ICP, C.T. Dept. Naraharipeta Chittoor District has committed the grave misconduct.

Thus, the Government Servant Sri N.Munaswamy by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby violated Rule 3(1) , (2), 9(8A) and 12 of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —III

LIST OF RECORDS / DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI NAMALA MUNASWAMY, S/O LATE N.KRISHNAMURTHY, OFFICE SUBORDINATE, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

1. Original Surprise Check proceedings drafted on 24-11-2015 from 00-45 AM to 04-30 AM at the Integrated Check Post, C.T. Dept., Naraharipeta, Chittoor Dist.
2. Duty Register/Attendance Registers of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
3. Personal Cash Registers of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
4. User Charges Register of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
5. Reply letter vide Rc. No.B1/553/2015 dt.15-12-2015 of Dy.Commissiner of Commercial Taxes, Chittoor Dist.
6. Signed Statement of Pasim Venkateswarlu, 48y S/o Late P.Jayaramaiah, Cleaner, AP 26 W 2619, R/o D.No.5/512, CRP Donka, Nellore Town. Cell NO. 8985431674.
7. Signed Statement of Subramnayam Delli Babu S/o Subramanyam, 32y, Driver, TN 20 AP 6153. R/o No-2, Seethamcheri Village, Ammanapakam, Uthukotai Taluk, Tiruvallur Dist. Cell No. 9940302660.
8. Signed Statement of Kesireddy Jalandar, 54y, S/o Late V.Kasireddy, Cleaner, TN 06 A 6998, R/o Perandur, Uthukotai Taluk, Tiruvallur Dist. Cell No. 7708564155.
9. Signed Statement of Bepari Mahaboob Basha S/o Late Ahmad Basha, 48y, Driver, AP 04 X 7776, R/o D.No.19/708, Venkateswara Colony, Jammulamadugu, YSR dist. Cell No. 9949911982.
10. Appakutti Jayaprakash, 35y, S/o Appakutti, Driver, TN 01 AA 2428, R/o D.No.291/2, Tathichur Village, Arani Tq, Tiruvannamalai. Cell No. 08148585067(TN), 8688702609 (AP)
11. Statement of Sri Jayaramaiah. Eswaraiah, S/o late Jayaramaiah, age 48 years, R/o Ragimanu street, near Vinayaka temple, Santhapeta, Chittoor Town, Chittoor District.(Private Person)
12. Statement of Sri N. Reddappa, S/o late Munaswamy, age 35 years, R/o Cherlopalle village, Aragonda Mandal, Chittoor District, Cell No: 8886555921. (Private Person).

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI NAMALA MUNASWAMY, S/O LATE N. KRISHNAMURTHY, OFFICE SUBORDINATE, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

1. Saginela Vijaya Kumar, 47y, S/o Late Sikhamani, Prohibition and Excise Inspector, O/o Asst. Commissioner, P & E, Chittoor, N/o D.No.39/589, Aravinda Nagar, Kadapa. Cell No.9491088776. (Mediator)
2. Alidena Kamaraju, 29y, S/o Late A.Subbarayudu, Jr. Assistant, SGS Arts College, Tirupati. R/o D.No.20-1-416-B3, Subhash Nagar, Korlagunta, Tirupati. Cell No. 957331337. (Mediator)
3. Sri A. Sankar Reddy, Dy. Supdt. of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
4. Sri M. Sudhakara Reddy, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
5. The Dy. Commissioner of Commercial Taxes, Chittoor Chittoor District
6. Sri Pasim Venkateswarlu, 48y S/o Late P.Jayaramaiah, Cleaner, AP 26 W 2619, R/o D.No.5/512, CRP Donka, Nellore Town. Cell No. 8985431674.
7. Sri Subramnayam Delli Babu S/o Subramanyam, 32y, Driver, TN 20 AP 6153. R/o No-2, Seethamcheri Village, Ammanapakam, Uthukotai Taluk, Tiruvallur Dist. Cell No. 9940302660.
8. Sri Kesireddy Jalandar, 54y, S/o Late V.Kasireddy, Cleaner, TN 06 A 6998, R/o Perandur, Uthukotai Taluk, Tiruvallur Dist. Cell No. 7708564155.
9. Sri Bepari Mahaboob Basha S/o Late Ahmad Basha, 48y, Driver, AP 04 X 7776, R/o D.No.19/708, Venkateswara Colony, Jammulamadugu, YSR dist. Cell No. 9949911982.
10. Sri Appakutti Jayaprakash, 35y, S/o Appakutti, Driver, TN 01 AA 2428, R/o D.No.291/2, Tathichur Village, Arani Tq, Tiruvannamalai. Cell No. 08148585067(TN), 8688702609 (AP)
11. Sri Jayaramaiah. Eswaraiah, S/o late Jayaramaiah, age 48 years, R/o Ragimanu street, near Vinayaka temple, Santhapeta, Chittoor Town, Chittoor District.(Private Person)
12. Sri N. Reddappa, S/o late Munaswamy, age 35 years, R/o Cherlopalle village, Aragonda Mandal, Chittoor District, Cell No: 8886555921. (Private Person).

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

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